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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,779	12/29/2003	Jakke Makela	KOLS.082PA	6429

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Hollingsworth & Funk, LLC
Suite 125
8009 34th Avenue South
Minneapolis, MN 55425

EXAMINER

ELMORE, REBA I

ART UNIT	PAPER NUMBER
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2189

DATE MAILED: 05/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/747,779	Applicant(s) MAKELA ET AL.	
	Examiner Reba I. Elmore	Art Unit 2189	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☒ Claim(s) 1,6 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/21/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-17 are presented for examination.

SPECIFICATION

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

CLAIM OBJECTIONS

3. The claims are objected to because:

 'the contents' lacks clear antecedent basis – claim 1, line 1;

 'initialisation' is not spelled correctly – claim 1, 10; and,

 'the fist' is not spelled correctly – claim 6.

35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 16-17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 16-17 are directed toward a computer software, per se, because they are being claimed without embodiment on a computer readable medium for execution by a computer processor, are considered to be directed merely towards 'functional descriptive material', which by itself is not statutory subject matter.

35 USC § 102(b)

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Fox.

8. Fox teaches the invention (claim 1) including a method for comparing the contents of memory components comprised by a first and a second electronic device, the electronic devices being configured to establish a data transmission connection between each other and comprising device identifiers, the method comprising:

determining the device identifiers of the first and the second electronic device as index numbers, first checksum value relating to an earlier data transmission event and second checksum values relating to a second data transmission event (e.g., see col. 6, line 39 to col. 7, line 27);

transmitting from the first electronic device to the second electronic device an initialization message having at least the first device identifier and the first checksum value and the second checksum value or information for determining the checksums (e.g., see Figures 5-8 and col. 6, line 39 to col. 8, line 36);

comparing the device identifiers of the first and the second electronic device, the first checksum values and the second checksum values with each other (e.g., see Figures 6-7), as a result of which:

the contents of the memory components are caused to correspond to each other as a response to the device identifiers, the first checksum values or the second checksum values not corresponding to each other (e.g., see Figures 6-7).

As to claim 2, Fox teaches noting that the contents of the memory components correspond to each other as a response to the device identifiers, the first checksum values and the second checksum values corresponding to each other (e.g., see Figures 6-7).

As to claim 3, Fox teaches the first and/or second checksum value comprising the device identifier (e.g., see Figure 5 and col. 7, lines 11-27).

As to claim 4, Fox teaches determining the device identifiers of the first and the second electronic device and/or the first checksum values by accessing them or information for determining them from the memory of the electronic device (e.g., see Figure 5 and col. 7, lines 11-27).

As to claim 5, Fox teaches determining the device identifier of the second electronic device and the first and second checksum value as a response to the second electronic device having received the initialization message (e.g., see Figure 6 and col. 7, lines 28-55).

As to claim 6, Fox teaches transmitting from the second electronic device to the first electronic device an acknowledgement message having at least the device identifier of the second electronic device as well as the first and the second checksum value or information for determining them as a response to the device identifier of the second electronic device and the first and the second checksum value having been determined (e.g., see Figures 6-8 and col. 7, line 27 to col. 8, line 37).

As to claim 7, Fox teaches comparing the first checksum values as a response to the device identifiers corresponding to each other, as a result of which:

the contents of the memory components are caused to correspond to each other as a response to the first checksum values not corresponding to each other (e.g., see Figures 6-7).

As to claim 8, Fox teaches comparing the second checksum values as a response to the first checksum values corresponding to each other, as a result of which:

the contents of the memory components of the memory components are caused to correspond to each other as a response to the second checksum values not corresponding to each other (e.g., see Figures 6-7).

As to claim 9, Fox teaches comparing the second checksum values as a response to the first checksum values corresponding to each other, as a result of which:

the acknowledgement message is retransmitted as a response to the second checksum values not corresponding to each other (e.g., see Figures 6-8 and col. 7, line 27 to col. 8, line 37).

9. Fox teaches the invention (claim 10) as claimed including a system having at least the first and the second electronic device, the electronic devices having device identifiers and means for establishing a data transmission connection to the second electronic device, wherein,

the first and the second electronic device are configured to determine the device identifiers, first checksum values relating to an earlier data transmission event and second checksum values relating to a second data transmission event (e.g., see Figures 6-7);

the first electronic device is configured to transmit to the second electronic device an initialization message having at least the first device identifier and the first and the second checksum value or information for determining them (e.g., see Figure 6 and col. 7, lines 28-55);

the first and/or the second electronic device is/are configured to compare the device identifiers of the first and the second electronic device, the first checksum values and the second checksum values (e.g., see Figures 6-8); as a result of which:

the first and/or the second electronic device is/are configured to cause the contents of the memory components to correspond to each other as a response to the device identifiers, the first checksum values or the second checksum values not corresponding to each other (e.g., see Figures 6-8 and col. 7, line 27 to col. 8, line 37).

As to claim 11, Fox teaches the first and/or the second electronic device is/are configured to note that the contents of the memory components correspond to each other as a response to the device identifiers, the first checksum values and the second checksum values corresponding to each other (e.g., see Figures 6-7).

As to claim 12, Fox teaches the first and/or the second checksum value comprise/s the device identifier (e.g., see Figures 5-8 and col. 6, line 39 to col. 8, line 36).

10. Fox teaches the invention (claim 13) as claimed including an electronic device having a memory component, a device identifier and means for establishing a data transmission connection to a second electronic device, wherein the electronic device comprises:

means for determining the device identifier, a first checksum value relating to an earlier data transmission event and a second checksum value relating to a second data transmission event (e.g., see Figures 5-8 and col. 6, line 39 to col. 8, line 36);

means for receiving the device identifier of a second electronic device as well as a first and a second checksum value or information for determining them (e.g., see Figures 5-8 and col. 6, line 39 to col. 8, line 36);

means for comparing the device identifiers of the electronic device and the second electronic device, the first checksum values and the second checksum values with each other (e.g., see Figures 5-8 and col. 6, line 39 to col. 8, line 36); and,

means for updating the contents of the memory component to correspond to the contents of the memory component of the second electronic device as a response to the device identifiers, the first checksum values and the second checksum values not corresponding to each other (e.g., see Figures 5-8 and col. 6, line 39 to col. 8, line 36).

As to claim 14, Fox teaches means for noting the correspondence between the contents of the memory component of the electronic device and the contents of the memory component of the second electronic device as a response to the device identifiers, the first checksum values and the second checksum values corresponding to each other (e.g., see Figures 5-8 and col. 6, line 39 to col. 8, line 36).

As to claim 15, Fox teaches means for determining the device identifier to the electronic device and/or the first checksum value by accessing them or information for determining them from the memory of the electronic device (e.g., see Figures 5-8 and col. 6, line 39 to col. 8, line 36).

11. Fox teaches the invention (claim 16) as claimed including a software product for comparing the contents of memory components in electronic devices, wherein the software product comprises:

a software code for determining a device identifier, a first checksum value relating to an earlier data transmission event and a second checksum value relating to a second data transmission event (e.g., see Figures 5-8 and col. 6, line 39 to col. 8, line 36);

a software code for receiving the device identifier of the second electronic device as well as the first and the second checksum value or information used for determining them (e.g., see Figures 6-7);

a software code for comparing the device identifiers of the electronic device and the second electronic device, the first checksum values and the second checksum values with each other (e.g., see Figures 6-8); and,

a software code for updating the contents of the memory component to correspond to the contents of the memory component of the second electronic device as a response to the device identifiers, the first checksum values and the second checksum values not corresponding to each other (e.g., see Figures 5-8 and col. 6, line 39 to col. 8, line 36).

As to claim 17, Fox teaches a software code for noting the correspondence between the contents of the memory component of the electronic device and the contents of the memory component of the second electronic device as a response to the device identifiers, the first checksum values and the second checksum values corresponding to each other (e.g., see Figures 5-8 and col. 6, line 39 to col. 8, line 36).


CONCLUSION

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reba I. Elmore, whose telephone number is (571) 272-4192. The examiner can normally be reached on Monday and Wednesday from 7:30am to 6:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the art unit supervisor for AU 2189, Reginald G. Bragdon, can be reached for general questions concerning this application at (571) 272-4204. Additionally, the official fax phone number for the art unit is (571) 273-8300.

Art Unit: 2189

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center central telephone number is (571) 272-2100.



Reba I. Elmore
Primary Patent Examiner
Art Unit 2189

Monday, May 01, 2006
